

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LIONRA TECHNOLOGIES LIMITED

v.

FORTINET, INC.

CASE NO. 2:22-cv-00322-JRG-RSP
(Lead Case)

LIONRA TECHNOLOGIES LIMITED

v.

CISCO SYSTEMS, INC.

CASE NO. 2:22-cv-00305-JRG-RSP
(Member Case)

LIONRA TECHNOLOGIES LIMITED

v.

HEWLETT PACKARD ENTERPRISE
COMPANY, et al.

CASE NO. 2:22-cv-00319-JRG-RSP
(Member Case)

LIONRA TECHNOLOGIES LIMITED

v.

PALO ALTO NETWORKS, INC.

CASE NO. 2:22-cv-00334-JRG-RSP
(Member Case)

**DECLARATION OF SCOTT KOSTER IN SUPPORT OF DEFENDANTS' MOTION TO
TRANSFER PURSUANT TO 28 U.S.C. § 1404**

[REDACTED]

[REDACTED]

I, Scott Koster, hereby declare as follows:

1. I am an employee of Hewlett Packard Enterprise (“HPE”). I have been an employee of HPE, or its predecessor, Hewlett Packard Company (“HP Company”), since 2007. The facts set forth herein are true and correct to the best of my knowledge and are based on my own personal knowledge and/or I have been informed of the information. If called upon to testify as a witness, I could and would competently testify thereto.

2. I submit this declaration in support of a motion to transfer pursuant to 28 U.S.C. § 1404. I understand that the Plaintiff Lionra Technologies Limited (“Plaintiff”) filed this lawsuit on August 19, 2022. I also understand that the infringement allegations in this lawsuit concern: (1) the Aruba CX 6200, 6300, 6300M, 6300F, 6400, 8000 (e.g., 83xx and 8400), 8320, 8325, 8360, and 10000 Switch Series, and the Aruba AOS-CX 10.00 and 10.08 operating systems that run on those switches, and (2) the Aruba 5400R and 2930F Switch Series. I also understand that these are referred to as the “Accused Products.”¹ Within HPE, these products are generally referred to as networking products, and the products belong to the Aruba Intelligent Edge business unit of HPE.

3. I joined HP Company’s networking division in 2007, beginning as a Test Engineer for HP’s networking products. Since I started working at HP Company, I have held a variety of positions including Technical Marketing Engineer, Product Line Manager (“PLM”), and more recently, Manager – PLM. In those roles, I have been involved in technical marketing work for several of the Accused Products, including the CX 8400. I was the software product manager for

¹ There is no product called the CX 6300 or CX 8000.

[REDACTED]

[REDACTED]

the CX operating system. I have also been involved in product line management for the hardware for many of the Accused Products.

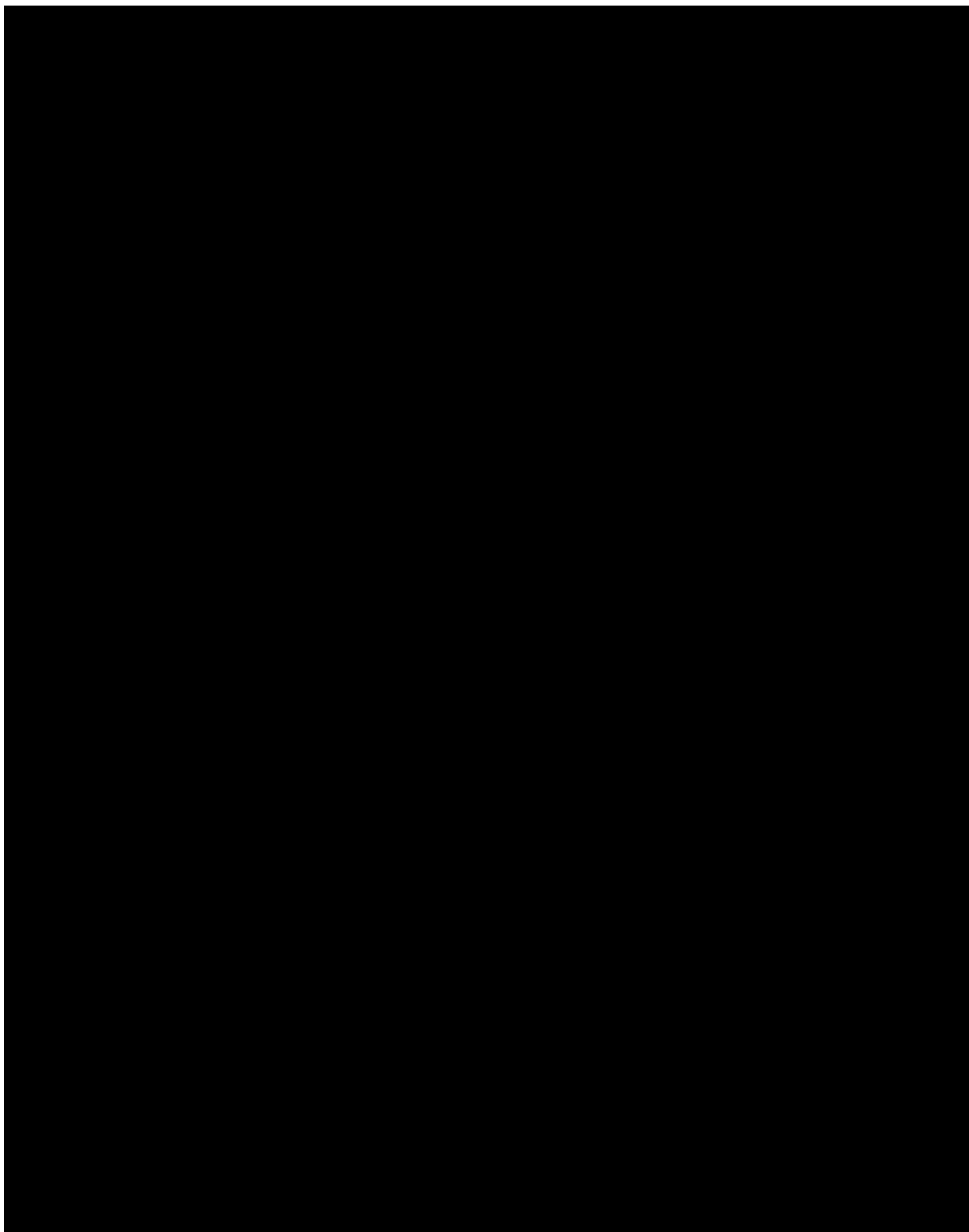
4. As a PLM, and now in my role as Manager – PLM, I oversee the management of products from initial product development through the end of the product lifecycle. PLMs are at the center of product management. From the initial product stages, PLMs work with the engineers to answer questions about, for example, features and functionalities that the product should include. Once the product is developed, PLMs work with the sales and marketing groups to determine how to market the product, how to position the product in the marketplace, and how to price the product. My team and I work directly with employees in the engineering, marketing, and sales groups to develop, market, and sell products, including the Accused Products.

5. Since 2007 through today, I have worked at the Roseville facility in HPE's office located at 8000 Foothills Boulevard, Roseville, California 95747.

6. Laboratories for research and development work are located in Roseville. Floor maps showing the laboratory spaces in the Roseville office are below. For example, the Dale Shidia, Brent Ford, David Hickock, Michael Brooks, Brent Ford, and John Powell Laboratories are all related to switching.

[REDACTED]

[REDACTED]



Pictures of two of the laboratories in Roseville are shown below:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Engineers and other employees use this equipment for testing and development, including, specifically, circuit board, diagnostic, vibration, and electromagnetic testing of prototypes and established products. Additionally, prototypes of the Accused Products and components used in the design and development of the Accused Products are located in Roseville. These prototypes are also used to train sales personnel regarding the features and operation of those products. To the extent there are physical documents related to the design, research, and development of the Accused Products, those documents are located in Roseville.

7. With respect to the Accused Products, all but one of the U.S.-based PLMs are located in California.² Two of those PLMs are located in Roseville: myself and Ed Kurata. None of the product line management for the Accused Products has ever taken place in Texas.

8. The software for the Accused Products originated from HPE or its predecessor, HP Company, as did most of the hardware. While the Accused Products are currently sold under the Aruba brand, development of most of these products started with HP's networking group even before Aruba was acquired. For example, development of the 5400R, 2930F, and certain of the accused CX switches, such as the CX 8400, began before HP Company acquired Aruba Networks. The 5400R was released in May 2014 under the HP brand.

9. Since before I joined HP Company in 2007, Roseville was the center of HP's networking group, and since the spin-off of HPE from HP Company, Roseville has continued to be the center of HPE's networking group. Though some of the development has been expanded to outside of the United States, including in Costa Rica and India, the vast majority of the U.S. based

² In October, one of my team members relocated from Roseville to Colorado.

[REDACTED]

[REDACTED]

development of ArubaOS CX, switch hardware engineering, and ASICs continues to take place in Roseville. HPE currently employs hundreds of engineers at the Roseville office.

10. I confirmed that Roseville remains the center of HPE's networking group by looking at a spreadsheet of the HPE employees in Intelligent Edge. As part of this confirmation, I spoke with Sharon Moreno, who is the Manager of Core Workday—the organization within HPE that is responsible for the configuration and maintenance of employee records. She explained how the data is collected and maintained. The spreadsheet of HPE employees in Intelligent Edge, which was compiled using data from Workday, is attached as Exhibit 1. Below is a pivot table of the data from Exhibit 1, showing that of the 563 engineers and employees associated with the research and development for the hardware and software used in the networking switches, 365 are associated with the Roseville office.

Row Labels	Count of Employee ID
AUX01 - Austin, TX (AUX01)	1
CA004 - San Jose, California(CA004)	1
CA066 - Santa Clara, California (CA066)	1
DAS01 - Andover,MA,(DAS01)	6
MOQ01 - St. Laurent, Alfred Nobel Blvd. (MOQ01)	1
NPX01 - Nashua, US - Plexxi (NPX01)	36
ROS03 - Roseville, California (ROS03)	335
ROS05 - Roseville, California - (ROS05)	30
SJQ01 - San Jose, CA (SJQ01)	120
TW066 - Teleworker, San Francisco (TW066)	1
TW2CA - Teleworker/Offsite-USA-CA	10
TW2CO - Teleworker/Offsite-USA-CO	4
TW2FL - Teleworker/Offsite-USA-FL	3
TW2ID - Teleworker/Offsite-USA-ID	2
TW2IL - Teleworker/Offsite-USA-IL	1
TW2MA - Teleworker/Offsite-USA-MA	1
TW2MD - Teleworker/Offsite-USA-MD	1
TW2ME - Teleworker/Offsite-USA-ME	1
TW2MT - Teleworker/Offsite-USA-MT	1
TW2NC - Teleworker/Offsite-USA-NC	1
TW2NV - Teleworker/Offsite-USA-NV	2
TW2WA - Teleworker/Offsite-USA-WA	3
VAF01 - Virgina, United States (VAF01)	1
Grand Total	563

Only one is located in Texas and is associated with an office located in Austin, Texas. I confirmed that this employee does not work on the Accused Products.

11. In all my time working with the engineers responsible for designing the Accused Products, I have not worked with any engineers in Texas, nor am I aware of any development related to the Accused Products having ever occurred in Texas.

12. Employees with knowledge about the product management, finances, sales, and marketing of the Accused Products are located in Roseville. In addition to myself, this includes:

- Ed Kurata (Product Line Manager): technical product management of the Accused

[REDACTED]

[REDACTED]

Products;

- Steve Brar (Director for Product Marketing): marketing of the Accused Products;
- Sue Gillespi (Global Product Manager): marketing of the Accused Products; and
- Keith Nham (Strategic Finance): finances, sales, and revenue for the Accused Products.

13. HPE sells the Accused Products throughout the United States. While sales and marketing of the Accused Products are managed out of California, primarily in Roseville, and also San Jose, most of the sales group for HPE is not centralized, meaning they do not handle, for example, a specific type of product. There is a small centralized sales group that is based out of Portland, Oregon that handles specific customers, for example, customers with whom HPE has existing relationships. As such, most of HPE has sales teams throughout the United States who sell the Accused Products, as well as other HPE products. Thus, the sales teams in Texas have no greater responsibility for the Accused Products than do sales teams in other parts of the United States.

14. Other employees with relevant knowledge regarding the Accused Products are located in the California. These employees include:

- Val Oliva (Product Line Manager): product management of the CX 83xx and CX 8400 switches. He is located in Santa Clara;
- Anup Mehta (Product Line Manager): product management of the CX 6300 switches. He is located in San Jose;
- Todd McDole (Director-PLM): product management of the CX 10000 switch. He is located in San Jose; and

- Rayan Fakhro (Senior Product Marketing Manager): product management and marketing of one or more of the Accused Products. He is located in Orange County.

15. Although there are employees located outside of Roseville, given that Roseville is the center for switching development and management, many of them travel to the office in Roseville to work in the laboratory or to meet with other employees to discuss the Accused Products, including employees from the engineering, marketing, and sales groups.

16. Decisions regarding product engineering, management, marketing, and finances do not occur in Texas. Those decisions are made by the management teams located in California, most of whom are located in Roseville. I am not aware of any development of the Accused Products having occurred in Texas.

17. I understand this lawsuit also involves ERPS. The ERPS implementation in the CX Accused Products originated from [REDACTED] While the software developers responsible for integrating [REDACTED] code into CX are based in India, those developers do not alter [REDACTED] code. They also coordinate with engineers and PLMs for the Accused Products in the United States, such as myself. For a period of time, I was the PLM responsible for ERPS and have knowledge about our use of ERPS. I was also responsible for the first integration of ERPS into an Accused Product.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 02, 2022.

/s/ Scott Koster
Scott Koster